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Committee on the Rights of Persons with Disabilities
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Summary record of the 282nd meeting
Held at the Palais Wilson, Geneva, on Wednesday, 24 August 2016, at 10 a.m.

Chair: Ms. Cisternas Reyes

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Colombia (continued) (CRPD/C/COL/1; CRPD/C/COL/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Colombia took places at the Committee table.*

2. **The Chair**, on behalf of the Committee, congratulated Colombia on the conclusion of the historic peace accord announced that day.

3. **Mr. Salazar** (Colombia) said that the work that lay ahead following the signature of the peace agreements would take many decades, as the legacy of 50 years of conflict could not be eliminated overnight. It was important to ensure that persons with disabilities played a prominent role as the country began its post-conflict transition and reconstruction. Discussions had already begun with the Post-Conflict Minister to develop specific plans for the participation of persons with disabilities in efforts to rebuild the country.

Articles 11-20

4. **Ms. Cubides** (Colombia), responding to questions put at the previous meeting, said that, although there had not been a specific representative of persons with disabilities in the peace negotiations, some of the participants had had disabilities, including one of the representatives of the victims and one of the representatives of the Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia) (FARC), who was blind; they had received the necessary support at the negotiating table. As Colombia began its post-conflict transition, it was important to take account of the needs not only of victims of the conflict, but also of persons with disabilities from all sides, including guerrillas and paramilitaries. The Mesa de Conversaciones website, which since 2012 had provided information on developments in the peace process and allowed individuals and organizations to submit proposals and comments on the negotiations, included information in sign language and other accessible formats.

5. **Mr. Salazar** (Colombia) said that the issue of the telethon organized in aid of persons with disabilities was a complex one that provoked anger among some civil society actors, and the Government understood their position. Although the Government did not officially support the telethon, which was broadcast on private television stations, some individual members of the Government had promoted it, on social media for example. The National Disability Council had written formally to the Fundación Teletón Colombia, questioning its procedures and the focus of its televised event, which were not in line with the rights-based approach to disability embodied in the Convention. It was true that, under the former mayor of Bogota, posters had been displayed in the city encouraging the public to donate to the telethon. Similarly, the Ombudsman's Office had invited all its staff to donate a day's salary. Such individual actions were redolent of an outmoded approach to disability and, while well intentioned, highlighted a lack of awareness of the Convention. Donations by individuals and companies to any non-profit organization, not only the Fundación Teletón Colombia, were tax deductible but should certainly not be considered a means of evading tax. There was no malice or dishonesty on the part of those who wished to donate to help persons with disabilities, but there was clearly a need for a cultural and attitudinal change. That would take time, however, and it should be recalled that Colombia had ratified the Convention only in 2011.

6. **Ms. Nieto Alzate** (Colombia) said that, when a child with a disability suffered abuse at the hands of a family member, the measures taken included the issuance of a warning,

along with a requirement for the family to attend a special course; immediate removal of the child and his or her placement in a specialized care programme; immediate placement in another family environment; placement in a temporary home for up to eight days or a foster home for up to six months; placement in an emergency centre in cases when placement in a temporary or foster home was not appropriate; and, as a last resort, adoption. The procedures followed were aimed at restoring the child's violated rights and were based on due process, a graduated approach and the best interests of the child.

7. With regard to the reintegration into the family of institutionalized children with disabilities, the Colombian Family Welfare Institute had a three-phase support model focused on the child's needs. The family too was provided with support and guidance to help prepare for the child's return. There were currently 353 children with disabilities in foster homes; 2,784 in homes run by NGOs; 195 receiving psychosocial support in their family environment; 3,365 in day-care centres part-time and 987 full-time; 2,870 children with intellectual disabilities and 2,092 with mental or psychosocial disabilities in residential care; and 2,954 children eligible for adoption, 35 per cent of whom were living in foster homes while awaiting adoption. Every effort was made to keep children in their families, and, to that end, the Institute also provided assistance to minors and their families through the *hogar gestor* system of psychosocial and financial support in a family setting. There were currently 7,278 children with disabilities enrolled in the programme. A further 1,100 children who were both victims of the armed conflict and had disabilities were also participating. Under Colombian legislation, judicial intervention on behalf of a child was permitted in the event of disagreement concerning the child's place of residence. Efforts were always made to ensure the participation of children in decisions that affected them.

8. **Ms. Cubides** (Colombia) said that women's issues were dealt with in a cross-cutting manner, taking account not just of gender and disability, but also ethnic and linguistic background, for example. The Office of the High Counsellor for Women also provided training to all local authorities on how to implement that approach.

9. **Mr. Salazar** (Colombia) said that, after more than a year's effort, the working group set up to examine the issues related to article 12 of the Convention had prepared a draft law, with the support of academics, members of civil society, representatives of the Ministry of Justice and Law, the Ombudsman's Office and the Colombian Family Welfare Institute, among others, although the text was not yet ready for submission to Congress. The process was taking some time because the aim was to develop a robust, comprehensive, lasting solution to issues related to legal capacity. In the meantime, there were unfortunately still vestiges of the previous model of disability that needed to be tackled. For example, persons with disabilities had to be placed under judicial interdiction in order to be eligible for a pension, and some private special schools required students with disabilities to be under guardianship in order to be enrolled. There was no formal deinstitutionalization policy, but that was one of the objectives of the working group. Access to justice for deaf and blind persons was taken into account in the draft law, but procedural accommodations were currently insufficient. The Constitutional Court had regrettably sent the wrong message in its ruling on the sterilization of persons with disabilities. It was hoped that forced sterilization would be made a crime in the final text of the draft law.

10. With regard to the situation of persons living on the street in Medellín, the Government rejected any insinuation that social cleansing was being practised. Although the municipal authorities had issued a decree on street persons with mental disabilities, that text had never been implemented in practice. The Ministry of Health and Social Protection and human rights bodies were reviewing the matter to ensure that such measures were not applied in Medellín or elsewhere.

11. **Ms. Nieto Alzate** (Colombia) said that, although major challenges remained, efforts were being made to strengthen access to justice for persons with disabilities. The Victims

Care and Comprehensive Reparation Unit was promoting recognition of the legal capacity of persons with disabilities, for example through the provision of training to all public servants working in the Unit and in relevant local authorities. The goal was to secure adjustments to internal procedures and remove the requirement for persons with disabilities to waive their legal capacity in order to be able to access compensation. With the support of civil society organizations and international cooperation, a protocol for supported decision-making by victims with psychosocial or intellectual disabilities was currently being finalized.

12. **Ms. Cubides** (Colombia) said that accessibility was a requirement in tender processes for new constructions. Indeed, the inclusion of persons with disabilities could be a deciding factor in choosing among otherwise equal bids. Decree No. 103 of 2015 established technical standards for the construction of new public buildings, and contracts could be withdrawn in the case of non-compliance. Accessibility was an important consideration in the ongoing process of constructing 30,000 new classrooms nationwide.

13. **Mr. Salazar** (Colombia) said that, while some persons with disabilities could afford to pay for personal assistance, most remained dependent on their families. The Government was not proud of that situation and was striving to change it. A working group, which included representatives of various ministries and of civil society, had been formed to establish a regulatory framework to support independent living for persons with disabilities, in line with the Convention. The group had realized early on that it would be necessary to put in place a comprehensive social protection system to ensure that persons with disabilities received all the support they needed, in keeping with their socioeconomic situation and their particular needs. The mayor's office in Bogota had carried out some interesting pilot experiences in independent living for persons with disabilities, which the Government hoped to replicate elsewhere. The Government of Japan had provided relevant technical assistance and training, and his Government was looking at how the Japanese independent living model might be adapted to the Colombian context.

14. **Ms. Cubides** (Colombia) said that a major transformation was taking place in the military and police forces as part of the post-conflict peace process, with a shift towards a rights-based approach. Disability-related issues were covered in training for members of the armed forces and the police at all levels, and internal protocols were being developed. The institutions responsible for upholding the rights of persons with disabilities were working with military and police training offices to emphasize the need for respectful treatment and due process guarantees for such persons and to raise awareness of their accessibility needs, including the need for sign language interpreters in the case of deaf persons.

15. **Mr. Salazar** (Colombia) said that there were currently about 2,500 persons with disabilities in Colombian prisons. They were in prison because they had been convicted of crimes; their incarceration had nothing to do with their disabilities. Some prisons did have psychiatric wards that provided care and medicines for prisoners with psychosocial disabilities. Nevertheless, conditions in Colombian prisons were deplorable for both prisoners with disabilities and those without disabilities. Most prisons suffered from serious overcrowding and numerous other problems. He personally had visited the disability ward of La Modelo prison in Bogota and had been deeply distressed to see persons with disabilities living in such terrible conditions. The Government was well aware that much remained to be done to ensure that all prisoners were treated with dignity.

16. **Ms. Nieto Alzate** (Colombia), responding to questions about measures to ensure that accessibility requirements were being met in the post-conflict reconstruction process, said that, while the conflict had taken a heavy toll on the population, it had not caused great infrastructure damage. Dealing with infrastructure-related issues was therefore not the top priority in the post-conflict period. A far more serious problem was internal displacement.

As at 31 July 2016, the number of displaced persons had totalled 6,974,537. Of that number, 189,388 (4 per cent) were persons with disabilities.

17. The Government had taken steps to ensure physical accessibility and implement reasonable accommodation measures so that individuals with disabilities could access information and services at assistance and guidance units for displaced persons. A comprehensive reparation plan for victims of the conflict had been drawn up and provision had been made within the plan for addressing the particular needs of victims with disabilities on a priority basis, including through financial compensation, rehabilitation services and assistance with emotional recovery. A differential approach was applied, with a special focus on the needs of women, children, older persons and lesbian, gay, bisexual, transgender and intersex persons with disabilities. In the initial assistance phase of the reconstruction process, 68,505 families of victims with disabilities had been helped; 43.2 per cent of the victims with disabilities had been women and 14.5 per cent children. In the reparation phase, 19,725 families had been assisted; 60 per cent of the victims had been men and 40 per cent women.

18. **Mr. Salazar** (Colombia), turning to the topic of protection of persons with disabilities in emergency situations, said that the Government was studying the possibility of endorsing the Charter on Inclusion of Persons with Disabilities in Humanitarian Action and would most likely do so in the near future.

19. **Ms. Cubides** (Colombia) added that Colombia had a national risk management strategy that recognized that a differential approach was required. The Government had identified the need for specific protocols for the management of natural disaster and emergency situations involving persons with disabilities. A 10-year emergency management plan provided for the development of such protocols. The Government had already drawn up protocols for dealing with other emergency situations, such as the forced displacement of persons as a result of armed conflict.

20. **Mr. Valencia** (Colombia) said that, before initiating the legislative process leading to the ratification of any treaty or optional protocol, the Government undertook a careful study of its ability to comply with the instrument, not only from a legal perspective, but also from the standpoint of the resources and expertise required to fulfil the country's obligations. Colombia was not yet in a position to ratify the Optional Protocol to the Convention, but it was ready to ratify the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. Draft legislation for that purpose had already been prepared and would be submitted to Congress in due course. Congress was currently focusing on putting in place the legal and regulatory framework for the peace agreement and the post-conflict period, and the Government considered it prudent to delay the submission of the draft legislation until it could be dealt with more expeditiously. Nevertheless, the ratification process generally took about two years. Some measures in line with the spirit of the Marrakesh Treaty had already been put in place. For example, Act No. 1680 of 2013 had established copyright exceptions and limitations aimed at ensuring the autonomy and independence of blind persons.

Articles 21-33

21. **Ms. Peláez Narváez** said that she would first put a number of follow-up questions under articles 11 to 20. Noting that incest was an offence punishable by up to 4 years' imprisonment, she asked what was being done to ensure that the relevant provisions of the Criminal Code were enforced in cases of incest involving persons with disabilities. The Committee had received information indicating that suicide rates had risen sharply among indigenous youths as a result of the armed conflict and that some of those youths had psychosocial disabilities; she would like to know what steps were being taken to address

that situation. Other information received by the Committee indicated that an alternative sign language had come into use in recent years, which was a serious concern for the deaf community. She wondered how the State party intended to respond to that concern. She would also like to know when sign language would be recognized as an official language in Colombia and whether there were plans also to officially recognize Braille and to harmonize Braille signage.

22. **Mr. Tatić** asked whether it was possible under the law for any school in Colombia to refuse to enrol a student with a disability and whether, even if it was illegal, there were any known cases of a school rejecting a student on the basis of disability. He would like information on the amount invested by the State party in reasonable accommodation to enable students with disabilities to attend mainstream schools. He would also be interested in hearing what progress had been made with regard to accessibility for tourists with disabilities. Lastly, as a great admirer of the celebrated Colombian author Gabriel García Márquez, he would like to know whether his books were available in accessible formats.

23. **Mr. Basharu** asked to what extent the State party was promoting access to information for persons with disabilities in the mass media. In particular, he wished to know whether content was available in Braille and audio, whether there was sign language interpretation and easy-to-read captioning on television, and how many hours of news and information were available to blind and deaf persons via electronic media. He would also like to know the status of Braille in Colombia and whether it was effectively promoted and taught as the primary mode of education and communication for blind persons. The State party was to be commended for enacting legislation that guaranteed employment stability for persons with disabilities; he wondered, however, whether there were also measures to encourage employers to provide reasonable accommodation and to ensure equal pay for work of equal value for persons with disabilities.

24. He would appreciate information on any measures in place to encourage effective participation in political and public life by persons with disabilities, especially those with psychosocial or intellectual disabilities. For example, was information provided in Braille and audio formats and in sign language to enable blind and deaf persons to participate in the electoral process? Had steps been taken to facilitate access to polling places for wheelchair users and other persons with disabilities? What opportunities were open to persons with disabilities to stand for election or receive political appointments, and how many members of Congress and high-level political appointees were persons with disabilities?

25. **Mr. Ruskus** said he understood that private schools in Colombia applied very selective admission criteria, such as the results of tests of cognitive ability. He would like to know whether the State party intended to take any steps to do away with that selective approach and ensure inclusive education in all schools. He would also like to know what was being done to address the serious accessibility problems in institutions of higher learning and to implement reasonable accommodation measures to enable students with disabilities to pursue a university education.

26. **Mr. Buntan** asked how the Government interpreted the concept of inclusive education and how it intended to implement that concept. He would also like to know how the Government planned to use existing special education schools to support inclusive education. Data from the State party's 2005 census indicated that persons with disabilities comprised only 6 per cent of the Colombian population, whereas information from the World Health Organization suggested that the figure was actually closer to 15 per cent. He wondered how, in the context of its efforts to achieve Sustainable Development Goal 17, the State party intended to improve the collection of reliable, disaggregated data. He would also like to know how it planned to take advantage of international cooperation to achieve

inclusive development and further the implementation of both the Convention and the 2030 Agenda for Sustainable Development.

27. **Ms. Degener** asked what steps the State party planned to take in order to render its education system fully inclusive. For example, would laws be enacted to give students with disabilities substantive rights? Would segregated education based on impairment be legally defined as discrimination and would all schools be barred from rejecting students on the basis of disability? How would the linguistic requirements of deaf, blind and deaf-blind learners be met? What was the time frame for implementing such inclusive education measures?

28. She understood from the State party report (CRPD/C/COL/1) that the National Disability System would serve as the coordinating mechanism under article 33. She wondered whether that entity was a State agency. She would also appreciate clarification as to how the various entities mentioned in paragraph 261 of the report would function as the monitoring mechanism and whether they complied with the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (Paris Principles).

29. **Ms. Kingston** said that she would like to know how the State party planned to extend inclusive education to children with disabilities in rural and remote areas and in indigenous communities, and how it intended to link those efforts with Sustainable Development Goal 4. She would also like to know what was being done to ensure accessibility in health-care services, such as providing sign language interpretation and information in Braille and adapting medical facilities and equipment to make them accessible to persons with disabilities.

30. Employment rates among persons with disabilities were currently quite low. She therefore wished to know what steps the State party was taking to ensure full and productive employment and the enjoyment of an adequate standard of living for such persons, in line with articles 27 and 28 of the Convention and Sustainable Development Goals 8 and 10. She would also appreciate information on social benefits available to parents of children with disabilities. Lastly, she wondered how the State party intended to mainstream the issue of disability into its work on the 2030 Agenda for Sustainable Development and how persons with disabilities and their representative organizations would be involved in that work.

31. **Mr. Langvad** expressed concern at the low school enrolment rates of children and young persons with disabilities in the care of the State, three quarters of whom were excluded from education. He asked what steps were being taken to ensure that all teachers received training on inclusive education, to redirect resources within the mainstream school system to support students with disabilities and to achieve a common understanding of inclusive education in the State party that complied with the Convention.

32. **Ms. Quan-Chang** said that, with regard to acts of sexual violence against women with disabilities during the armed conflict, she wished to know whether the peace accord contained a commitment to trying non-military cases before civilian courts, rather than military courts.

33. She asked whether measures had been taken to lift the restrictions on the right of persons who had been deprived of legal capacity to marry and to found a family. Noting that local authorities appeared to be the source of many violations of the right to inclusive education, given their responsibility for schools, she asked how it could be ensured that they understood their duty to implement the relevant provisions of the Convention. She expressed concern at the lack of protocols for informed consent to medical treatment and surgery, the absence of sexual and reproductive health services for persons with disabilities, the prejudice against those persons manifested by members of the medical profession, and

the use of a medical model for assessing disability that failed to take account of the barriers encountered by persons with disabilities and could thus result in the impact of their disability being understated.

34. Regarding social protection, she said it was still not clear to her how disability was mainstreamed into policies to combat poverty. It was important, in the context of the peace accord, for persons with disabilities to be included in the reparation process and for them to be eligible for reparation without having to waive their legal capacity. Also with regard to social protection, she wondered how the State party planned to address the situation of persons with disabilities who lacked access to housing and basic services.

35. Noting that persons who were deprived of legal capacity also lost their right to vote, she asked how the State party would ensure that those persons were able to participate in the upcoming referendum on the peace accord and how persons with disabilities would be informed about the plebiscite. She also wished to know how the registration procedure for organizations of persons with disabilities would be improved, since information received by the Committee indicated that the administrative process was too onerous for organizations with fewer resources.

36. Lastly, she asked what measures would be taken to designate an independent monitoring mechanism; whether the Ombudsman's Office would play a role in monitoring; whether the staff of the mechanism would include disability and health experts, as had been recommended by the Global Alliance of National Human Rights Institutions; and how organizations of persons with disabilities would be involved in the mechanism.

37. **The Chair** said she hoped that the delegation would provide a fuller answer to the question she had put at the previous meeting concerning the due process guarantees for persons with disabilities who were charged with committing a crime, the measures that were taken when a person with a disability was declared unfit to stand trial and the safeguards that existed to protect such persons.

38. She wondered how the State party planned to implement Sustainable Development Goal 1, on eradicating poverty. With regard to article 25 of the Convention, she would appreciate information on training programmes and continuous development for medical personnel to ensure the provision of optimum care for persons with disabilities, in accordance with Sustainable Development Goal 3. Given that the law on labour market inclusion reportedly discouraged employers from hiring persons with disabilities, she wished to know whether the State party had considered measures to eliminate the labour market distortions to which the law had given rise. Lastly, she asked what measures had been taken under article 31 of the Convention to introduce a specific matrix for statistics on persons with disabilities, with a view to using that data to adopt appropriate policies and legislation.

The meeting was suspended at 11.35 a.m. and resumed at 12.10 p.m.

39. **Ms. Nieto Alzate** (Colombia) said that persons declared unfit to stand trial were afforded that protection on the basis of mental disability or psychological immaturity, as provided for in law. The relevant determination was made by a judge. Such persons were placed in psychiatric institutions, under the care of the local health authorities. The resources required to care for them were allocated by the Ministry of Health and Social Protection, which was also responsible for arranging family visits. The Government recognized that action was needed to amend the legislation on legal capacity and was taking the necessary steps, as had been described previously.

40. **Ms. Botero Hernández** (Colombia) said that the prevalence of suicide, particularly among indigenous persons, had been revealed by a mental health survey carried out in 2015. The survey had improved knowledge of the profile of persons likely to commit suicide.

Initiatives had been taken to train health-care professionals in mental health diagnostics and referrals, and the quality and continuity of mental health services had been enhanced. Mental health was recognized as a crucial element in the implementation of the peace accord. Broad discussions had taken place at the community level on mental health needs.

41. **Ms. Nieto Alzate** (Colombia) said that sexual abuse and incest affected children with and without disabilities. The penalties provided for in Act No. 1329 of 2009 for perpetrators of sexual offences against minors had been increased. The commission of such an offence by a foreign tourist or a member of an illegal armed group was an aggravating factor. Under Act No. 1142 of 2007, if the victim of a sexual offence was a child with a disability, that too was an aggravating factor. Combating incest required cultural change. A telephone hotline for reporting sexual abuse had been established and operated around the clock, and awareness-raising activities focusing on sexual abuse were carried out in schools. The Colombian Family Welfare Institute had a specialized team that included psychologists and specialist lawyers to investigate complaints of sexual abuse and ensure timely intervention for child and adolescent victims, including those with disabilities. The number of complaints received to date in 2016 was higher than in previous years. One protection measure provided for in law was the removal of victims from their abuser, which, in the case of a mother, meant that her children too were moved; the aim was to prevent the abuser from transferring his or her behaviour to another family member.

42. **Ms. Cubides** (Colombia) said that, for the first time, the budget allocated to education exceeded that allocated to fighting war. Educational inclusion was viewed as a process that had begun with the ratification of the Convention. All public-sector schools provided inclusive services and were required to accept students with disabilities; the State did not invest in segregated services.

43. The low school enrolment rate of children with disabilities was mostly due to the attitudes of families, who needed to be convinced that their children would receive appropriate services in a school setting. The number of children with disabilities enrolled in school had increased by 60 per cent over the past five years, and 70 per cent of educational institutions now included children with disabilities in their student body. Schools received a 20 per cent premium for each child with a disability on their roll. Those extra funds were spent exclusively on care and support for children with disabilities. Additional funds were needed, however, to ensure that every child with a disability, in every school, received adequate care and support.

44. A key challenge was the lack of qualified human resources, including teachers and specialized interpreters. In 2017, a university course for interpreters would be launched and official certification introduced in order to professionalize the occupation. There was one classroom assistant per 34 students, which indicated progress, although more classroom assistants were needed. Pupils' transition from special to mainstream schools required careful handling. Curricula needed to be adapted for different abilities and disabilities, and the case of each child with a disability addressed individually.

45. While private schools did have entry requirements, any parent who felt that his or her child had been refused entry to a school on the basis of the child's disability had the right to lodge a complaint with the Ministry of National Education. While several such cases had been signalled in the past, the Ministry was aware of the need to address the problem of underreporting. About 90 per cent of children with disabilities who attended school went to State schools.

46. There were currently about 20,000 students with disabilities in tertiary education. In addition, the National Learning Service, a government body that promoted vocational training, had organized technical and technological training for some 60,000 persons with disabilities, who were now employed. Research conducted in 10 cities had found that some

500 persons with disabilities were currently studying for university degrees in areas such as architecture, education, engineering and fine arts. While about 80 per cent of them already had classroom support, the Government was committed to investing more money and continuing its efforts to guarantee that all children and young persons with disabilities in the country enjoyed the right to inclusive education.

47. **Mr. Salazar** (Colombia) said that, under the current legislation, an employer who wished to dismiss a person with a disability had to apply to the Ministry of Labour for permission to do so. The unintended consequence of the legislation, which was aimed at protecting employees with disabilities, was that employers preferred not to hire such persons. Research had found that the law had become the biggest barrier to access to employment for persons with disabilities in Colombia. Many civil society organizations had therefore called for the relevant legislative provision to be repealed, and a bill to that end was awaiting consideration by Congress.

48. **Mr. Valencia** (Colombia) said that the Government was committed to implementing the 2030 Agenda for Sustainable Development, in which States had pledged that no one would be left behind, including persons with disabilities. The national coordination body responsible for implementation of the 2030 Agenda had identified article 32 of the Convention as one of the tools at its disposal. In keeping with the spirit of the Convention, the rights of persons with disabilities had been mainstreamed into the 2015-2018 road map on international cooperation. Likewise, Act No. 1618 of 2013 guaranteed that all the country's international cooperation projects would be inclusive and accessible, including the South-South cooperation projects in which it was involved. Several challenges had been identified with regard to the implementation of the 2030 Agenda, including the definition of national indicators — notably on persons with disabilities — and the need to raise awareness among local authorities in order to ensure that local development plans took account of the Agenda and the inclusion of persons with disabilities.

49. **Mr. Salazar** (Colombia) said that ballot papers were available in Braille. However, polling stations were not always accessible. When persons with disabilities were unable to enter polling stations, election officers would find a way to ensure that they could exercise their right to vote by, for example, taking a ballot paper and ballot box to them. The Government was aware of the need to improve that situation.

50. There were no quotas for the election of persons with disabilities to Congress. However, there were several members of Congress, ministers and persons in positions of significant authority with disabilities in the country, and some 4.6 per cent of civil servants were persons with disabilities.

51. **Ms. Nieto Alzate** (Colombia) said that, under Act No. 1145/2007 organizing the National Disability System, organizations of persons with disabilities and of parents of persons with cognitive disabilities were represented on the National Disability Council. The requirements were demanding in terms of training and experience in the field of disabilities. Travel and interpretation costs for members with disabilities were covered by the authorities. At local level, organizations of persons with disabilities elected their representatives on the municipal disability councils in accordance with the Act, and spokespersons from the municipal councils were then elected to represent the municipality on the departmental disability councils. Efforts were currently under way to transfer the entire disability system from the Ministry of Health and Social Protection to the Ministry of the Interior, which handled all human rights issues. That would facilitate more open, democratic elections to all the disability councils.

52. **Mr. Salazar** (Colombia) said that persons without legal capacity did not enjoy the right to marry or to vote. However, work was under way to amend the current legislation on

legal capacity in order to ensure that such persons would in the future enjoy those and other rights.

53. **Ms. Nieto Alzate** (Colombia) said that persons with disabilities could apply for free housing and for social housing, depending on their economic situation. To date, some free housing had been assigned to families with persons with disabilities, usually on the ground floor of apartment blocks. Measures were being taken to ensure that communal spaces in such buildings were accessible. While there were no quotas in place for the allocation of free and social housing to persons with disabilities, disabilities were taken into account when applications were considered. Between 2003 and 2016, some 7,691 families with persons with disabilities had been allocated free or social housing. In rural areas, an ambitious programme was under way to build new accessible housing, and grants were available for improvements to homes in rural areas, including in order to make them accessible.

54. **Ms. Cubides** (Colombia) said that the 1996 media law providing that television should be accessible to deaf persons had not been fully implemented. Efforts to address that situation had culminated in a government ruling in 2016 requiring that, as from July 2017, all television programmes must be subtitled. It also stipulated that all presidential broadcasts and at least two other such programmes must have sign language interpretation. In 2016, interpretation had been provided for all presidential and governmental broadcasts. The National Institute for the Deaf was working with public and private television channels to set up a channel on which all programmes would have sign language interpretation and deaf persons would be employed as producers. Eventually, the aim was to make all television programmes on all channels accessible to deaf persons.

55. **Mr. Salazar** (Colombia) said that the independent monitoring, protection and promotion mechanism consisted of the Attorney General's Office, the Ombudsman's Office, the Comptroller's Office and representatives of organizations of persons with disabilities. Efforts were under way to amend the regulations pertaining to the election of representatives of organizations of persons with disabilities to the mechanism in order to ensure that the process was fully democratic. Under the current regulations on the mechanism, the executive assigned specific functions to the Attorney General's Office, the Ombudsman's Office and the Comptroller's Office, and the Ministry of Justice and Law was responsible for allocating its financial resources, all of which diminished the mechanism's overall independence. A team of lawyers was examining possible solutions. There were experts in issues relevant to persons with disabilities in the Ombudsman's Office.

56. **Ms. Nieto Alzate** (Colombia) said that Act No. 1751/2015 recognized the fundamental right to health as autonomous and inalienable. Article 11 of the Act provided that persons with disabilities had the right to special protection, regardless of their financial status. Following the adoption of the Act, a new policy had been developed on comprehensive health care, recognizing the need for differentiated measures for specific sectors of Colombian society, including for persons with disabilities. In addition, over the past three years, steps had been taken to ensure that all health care was accessible to persons with disabilities and to remove barriers to communication. Nonetheless, persons with disabilities still faced barriers in the exercise of their rights to sexual and reproductive health, persons without legal capacity continued to be sterilized, and there was a lack of obstetric and gynaecological health workers trained to treat patients with disabilities. Measures were being taken to incorporate relevant modules into the professional training of all health personnel and to raise awareness among families of persons who lacked legal capacity about those persons' rights.

57. Some 46 per cent of persons with disabilities were included in at least one social protection programme. Over 50,000 families of persons with disabilities had received assistance under the strategy for combating extreme poverty.

58. **Mr. Salazar** (Colombia) said that the census data were now out of date as the last census had been conducted in 2005. A consultancy specializing in gathering data on persons with disabilities would be involved in the forthcoming census. Sign language had been an official State language since 1996. Many classic works of Colombian literature, including *One Hundred Years of Solitude*, were available in Braille.

59. The delegation was grateful to the Committee for its constructive questions and comments, which would assist the Government to refocus its priorities, in cooperation with civil society.

The meeting rose at 1.05 p.m.